Greetings and thank you for this opportunity to offer my testimony. My name is Derek Bauman. After a 26-year law enforcement career I retired from the Mason, Ohio Police Department in 2016 due to being injured in the line of duty for which I was awarded the Medal of Valor. I am a gun owner. A former competitive shooter. And during my career I was an OPOTA-certified police Firearms Instructor.

I have both received and provided many hours of police training in the Use of Firearms, Shoot/Don’t Shoot scenarios, and Use of Force. Perhaps most importantly, I have personally been involved in Shoot/Don’t Shoot situations.

***I STRONGLY OPPOSE H.B. 228*** generally and the ‘Stand Your Ground’ provision in particular.

Using lethal force, shooting, killing, another person, is one of the most important and impactful decisions a police officer, or any person, could ever make. We train police officers to use only the minimum amount of force necessary when effecting an arrest. We have an obligation, a duty, to make every reasonable effort to diffuse, mitigate, and de-escalate situations which may become violent. And do so without allowing ego or emotion to become involved.

Let me give you a real-life example from my career. While working patrol, I responded to an alarm at a storage unit facility. Arriving on the scene, I encountered two men breaking into one of the storage units. I identified myself as a police officer and drew my weapon as they jumped into their vehicle to make their escape, with me standing in their path. They ignored my orders to stop. As they sped toward me from mere feet away, I had a split-second decision to make. Shoot or Don’t Shoot the driver as a means to keep from being run over. I chose *not* to shoot as I managed to safely jump out of the way of their vehicle. We later arrested the suspects without incident. No one was shot. No lives lost or permanently altered. Including mine. Both Shakespeare and common sense tell us that “Discretion is the Better Part of Valor.”

If ‘Stand Your Ground’ is adopted as the law of the land in Ohio, this deliberative body is essentially saying that such discretion, given a reasonable means of mitigating the situation, is no longer required. This will lead to the unnecessary taking of human life and irreparable harm to the lives of many others, including the person using deadly force unnecessarily.

It is important to remember that current law requires a ‘Duty to Retreat’ **only if** a person has a reasonable means of doing so. I submit to you that as human beings, we have, not only a legal, but also a moral responsibility to do this and not make life or death decisions based on the heightened sense of power that brandishing a firearm can breed, nor based on the aforementioned ego or emotion. If one has both ability and opportunity to escape from harm’s way, then as reasonable people that is what we must do.

I support the position of the Ohio Association of Chiefs of Police who submitted testimony opposing H.B. 228 stating that “There are strong public policies for preserving the sanctity of life on one hand, and on the other hand, for allowing one to protect one’s self from harm. Allowing citizens to ‘Stand-Your-Ground’ upsets this balance. It allows the killing of an individual in certain situations where the death could, (and I say *should*) have been avoided...”

And so I ask you. Please. Join me in opposing this bill and the dangerous concept of ‘Stand Your Ground.’ Thank you.